

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen
United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
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FINAL JUDGMENT

October 21, 2021

Before

DIANE S. SYKES, *Chief Judge*
JOEL M. FLAUM, *Circuit Judge*
ILANA DIAMOND ROVNER, *Circuit Judge*

No. 20-3325	DRIFTLESS AREA LAND CONSERVANCY and WISCONSIN WILDLIFE FEDERATION, Plaintiffs - Appellees
	v. REBECCA VALCQ and TYLER HUEBNER, in their official capacities as members of the Public Service Commission of Wisconsin, Defendants - Appellants
	and AMERICAN TRANSMISSION COMPANY LLC, et al., Intervenor Defendants - Appellants
Originating Case Information:	
District Court No: 3:19-cv-01007-wmc Western District of Wisconsin District Judge William M. Conley	

The judge correctly denied the commissioners' motion to dismiss based on sovereign immunity. But he incorrectly denied the motion for Colorado River abstention. We therefore **REVERSE**, with costs, and **REMAND** with instructions to stay this case pending dispositive developments in the state litigation. The motion to partially lift the stay pending appeal is denied as moot.

The above is in accordance with the decision of this court entered on this date.

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Deputy Clerk
of the United States
Court of Appeals for the
Seventh Circuit

The seal of the United States Court of Appeals for the Seventh Circuit, featuring an eagle with wings spread, holding an olive branch and arrows, with a shield on its chest. Above the eagle is a constellation of stars.